

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

No claims have been amended. Claims 2-14 remain pending in the present application, of which claims 4, 5, 9, 11, 13 and 14 are independent.

Noted - Priority Document Received By USPTO

The indication (see present Office Action Summary, box 12(a)(1) as checked) that the certified copy of the priority document has been received by the USPTO is noted with appreciation.

Noted - IDS Considered

The indication (see Examiner-inailed PTO form 1449 mailed with Office Action dated September 10, 2007) that the Information Disclosure Statement (IDS) as filed on March 11, 2004 and references listed therein have been considered is noted with appreciation.

Approval of Drawings Requested

Drawings were submitted on March 11, 2004. To date, no official indication of approval of the drawings has been noted in the prosecution history. The undersigned has no reason to believe that this circumstance implies anything other than a minor oversight on the part of the USPTO. Accordingly, official approval of the drawings is hereby respectfully requested.

Claim Objection

Claims 2 and 3 are objected to because they do not refer to a preceding claim. 37 CFR 1.75(c) states that "one or more claims may be presented in dependent form, referring back to and further limiting another claim or claims in the same application" (Underlining is added for emphasis.) It is respectfully submitted

that another claim or claims are not limited to a preceding claim. Accordingly, withdrawal of the objection to the claims is respectfully requested.

Claim Rejection Under 35 U.S.C. §102

Claims 2-14 are rejected under 35 U.S.C. §102(b) as being anticipated by Walker et al. (U.S. Patent No. 6,278,709, Walker hereinafter.)

INDEPENDENT CLAIM 4

As an example, independent claim 4 recites (among other things) “the output order of the packet indicating an input order of the packet among a plurality of input packets including both the unicast packet and the multicast packet.” As will be explained below, this feature of claim 4 is a distinction over Walker.

Walker merely describes successive checksums and checking the sequence of received message packets without any discussion of an order of a plurality of input packets including both a unicast packet and a multicast packet. In particular, Walker states at column 14, lines 60-62: “a message may be made up of a number of packets, and the order of the packets in the message can be important.”

However, Walker fails to describe that a single message includes both a unicast packet and a multicast packet. Accordingly, it is respectfully submitted that the successive checksums do not indicate an order of packets including both a unicast packet and a multicast packet in a single message but either an order of unicast packets in one message or an order of multicast packets in another message. Hence, the noted feature of claim 4, namely “the output order of the packet indicating an input order of the packet among a plurality of input packets including both the unicast packet and the multicast packet” is a distinction over Walker.

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. In view of the distinction of claim 4 noted above, at least one claimed element is not present in Walker. Hence, Walker does not anticipate claim 4.

INDEPENDENT CLAIM 5

As an example, independent claim 5 recites (among other things) “a plurality of input packets including both the unicast packet and the multicast packet” and “the output order indicating an input order of the packet among the plurality of input packets.” As explained above, this feature of claim 5 is a distinction over Walker. Hence, Walker does not anticipate claim 5.

INDEPENDENT CLAIM 9

As an example, independent claim 9 recites (among other things) that “an output order of the packet indicates the input order of the packet among a plurality of input packets including both the unicast packet and the multicast packet.” As explained above, this feature of claim 9 is a distinction over Walker. Hence, Walker does not anticipate claim 9.

INDEPENDENT CLAIM 11

As an example, independent claim 11 recites (among other things) “a plurality of input packets including both the unicast packet and the multicast packet” and that “an output order of the packet indicates the input order of the packet among the plurality of input packets.” As explained above, this feature of claim 11 is a distinction over Walker. Hence, Walker does not anticipate claim 11.

INDEPENDENT CLAIM 13

As an example, independent claim 13 recites (among other things) “a plurality of input packets including both the unicast packet and the multicast packet” and “the output order indicating an input order of the packet among the plurality of input packets.” As explained above, this feature of claim 13 is a distinction over Walker. Hence, Walker does not anticipate claim 13.

INDEPENDENT CLAIM 14

As an example, independent claim 14 recites (among other things) “a plurality of input packets including both the unicast packet and the multicast packet” and “the output order indicating an input order of the packet among the plurality of input packets.” As explained above, this feature of claim 14 is a distinction over Walker. Hence, Walker does not anticipate claim 14.

DEPENDENT CLAIMS

Claims 2 and 3 ultimately depend from claim 4, and so at least similarly distinguish over Walker. Hence, Walker also does not anticipate claims 2 and 3.

Claims 6-8 ultimately depend from claim 5, and so at least similarly distinguish over Walker. Hence, Walker also does not anticipate claims 6-8.

Claim 10 depends from claim 9, and so at least similarly distinguishes over Walker. Hence, Walker also does not anticipate claim 10.

Claim 12 depends from claim 11, and so at least similarly distinguishes over Walker. Hence, Walker also does not anticipate claim 12.

In view of the foregoing discussion, the rejection of claims 2-14 is improper. Accordingly, withdrawal of the rejection is respectfully requested.

Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 50-1290.

Respectfully submitted,

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